

Amendments to Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. *(Currently Amended)* A method comprising:

identifying, by a computer-based system for assessing a fee, a merchant ~~with a disputed credit transaction~~ having a chargeback transaction in a period of time, wherein a predetermined threshold ratio of chargebacks ~~disputed credit transactions~~ to total credit transactions is allocated by the computer-based system stored for the period of time;

determining, by the computer-based system, a number of the chargebacks ~~disputed credit transactions~~ and a number of credit transactions involving the merchant in the period of time;

determining, by the computer-based system, a ratio of the number of chargebacks ~~disputed credit transactions~~ to the number of credit transactions for the merchant; and

assessing, by the computer-based system, a fee against the merchant for each chargeback ~~disputed transaction involving the merchant~~ exceeding that exceeds the predetermined threshold ratio of chargebacks, in response to the merchant exceeding the predetermined threshold ratio of chargebacks, ~~the merchant's ratio being at least equal to the predetermined threshold ratio~~ and in response to the merchant exceeding a threshold number of time periods in which the merchant may exceed the predetermined threshold ratio without incurring the fee, wherein the fee is not assessed to the merchant for ~~[[to]] all of the chargebacks of the merchant~~ disputed transactions, wherein no fee is assessed against the merchant in response to the merchant not exceeding the threshold number of time periods in which the merchant may exceed the predetermined threshold ratio of chargebacks.

wherein the fee against the merchant for each chargeback is set based on a monetary value of each transaction resulting in the chargeback ~~of the disputed credit transactions of the merchant~~ that exceeds the predetermined threshold ratio.

2. *(Previously Presented)* The method of claim 1, wherein the period of time comprises thirty days.
3. *(Previously Presented)* The method of claim 1, wherein the predetermined threshold ratio comprises three percent.

4. *(Previously Presented)* The method of claim 1, further comprising:
establishing, by the computer-based system, the predetermined threshold ratio based on a factor comprising an industry category including the merchant.
5. *(Previously Presented)* The method of claim 4, wherein the industry category comprises a standard industrial classification code.
6. *(Previously Presented)* The method of claim 1, further comprising:
establishing, by the computer-based system, the predetermined threshold ratio based on a factor comprising an average transaction volume of the merchant.
7. *(Cancelled)*
8. *(Currently Amended)* The method of claim ~~[[7]]~~ 1, wherein the threshold number of time periods is greater than one.
9. *(Currently Amended)* The method of claim 8, further comprising, before the assessing:
generating, by the computer-based system, a notice for transmission to the merchant in response to the number of time periods for the merchant being greater than zero and less than the threshold number of time periods, the notice including: the ratio of the number of chargebacks ~~disputed credit transactions~~ to the number of credit transactions for the merchant, the predetermined threshold ratio, the number of time periods for the merchant and the threshold number of time periods.
10. *(Previously Presented)* The method of claim 9, further comprising:
transmitting, by the computer-based system, the notice to the merchant.
11. *(Previously Presented)* The method of claim 8, further comprising:
generating, by the computer-based system, a notice for transmission to the merchant in response to the number of time periods for the merchant being greater than zero and less than the threshold number of time periods, the notice including at least proposed business solution for reducing the number of disputed credit transactions involving the merchant.
12. *(Original)* The method of claim 7, wherein the threshold number of time periods is based on an industry category including the merchant.

13. *(Previously Presented)* The method of claim 7, wherein the threshold number of time periods comprises a threshold number of consecutive time periods.

14. *(Currently Amended)* A method comprising:

calculating, by a computer-based system for assessing a fee, a ratio of ~~disputed-credit transactions~~ chargebacks to total credit transactions for each of a plurality of industry categories for a previous period of time;

determining, by the computer-based system, a first threshold ratio for a first of the industry categories based on a first factor comprising said calculating;

determining, by the computer-based system, a second threshold ratio, lower than the first threshold ratio, for a second of the industry categories based on the first factor, the second of the industry categories having a lower ratio of disputed credit transaction to total credit transactions in the previous period of time than the first of the industry categories;

determining, by the computer-based system, a ratio of chargebacks ~~disputed-credit transactions~~ to total credit transactions for a merchant in the first of the industry categories; and

assessing, by the computer-based system, a fee to the merchant for each chargeback that exceeds the first threshold ratio in response to the ratio of ~~chargebacks-disputed-credit transactions~~ to total credit transactions being at least equal to greater than the first threshold ratio, and in response to the merchant exceeding a threshold number of time periods in which the merchant may exceed the first threshold ratio without incurring the fee, wherein the fee is not assessed to the merchant for ~~[[to]]~~ all disputed transactions, wherein no fee is assessed against the merchant in response to the merchant not exceeding the threshold number of time periods in which the merchant may exceed the predetermined threshold ratio of chargebacks,

wherein the fee is set based on a monetary value of each of the chargebacks ~~disputed-credit transactions~~ of the merchant that exceeds the second threshold ratio.

15. *(Cancelled)*

16. *(Currently Amended)* The method of claim 14, wherein the fee is assessed for each chargeback ~~disputed-credit transaction~~ that exceeds the first threshold ratio.

17. *(Currently Amended)* The method of claim 14, further comprising:

determining, by the computer-based system, a first threshold number of time periods in which the ratio of ~~disputed credit transactions~~ chargebacks to total credit transactions for a merchant in the first of the industry categories exceeds the first threshold ratio, based on said calculating; and

determining, by the computer-based system, a second threshold number of time periods, lower than the first threshold number of time periods, in which the ratio of ~~disputed credit transactions~~ chargebacks to total credit transactions for a merchant in the second of the industry categories may exceed the second threshold ratio, based on said calculating.

18. *(Currently Amended)* The method of claim 17, further comprising:

determining, by the computer-based system, a ratio of chargebacks ~~disputed credit transactions~~ to total credit transactions for the merchant for a plurality of previous time periods;

determining, by the computer-based system, a number of time periods in which the ratio of ~~disputed credit transactions~~ chargebacks to total credit transactions of the merchant is greater than the first threshold ratio; and

assessing, by the computer-based system, a fee in response to the merchant's current ratio of ~~disputed credit transactions~~ chargebacks to total credit transactions being at least equal to the first threshold ratio and the number of time periods for the merchant is at least equal to the first threshold number of time periods .

19. *(Currently Amended)* The method of claim 18, further comprising:

generating a notice for transmission to the merchant in response to the merchant's current ratio of ~~disputed credit transactions~~ chargebacks to total credit transactions being at least equal to the first threshold ratio and the number of time periods for the merchant is less than the first threshold number of time periods; including a predetermined period of time in which the merchant must lower their ratio of ~~disputed credit transactions~~ chargebacks to total credit transactions to avoid fees.

20. *(Currently Amended)* A non-transitory, tangible computer-readable medium having stored thereon sequences of instruction, the sequences of instruction including instruction which, if executed by a computer-based system for assessing a fee, causes the computer-based system to perform operations comprising:

determine, by the computer-based system, an average ratio of ~~disputed-credit-transactions~~ chargebacks to total credit transactions for each of a plurality of industry categories;

generate, by the computer-based system, a threshold ratio of ~~disputed-credit-transactions~~ chargebacks to total credit transactions for a first of the industry categories based on a first factor comprising an automatically determined average ratio of ~~disputed-credit-transactions~~ chargebacks to total credit transactions;

determine, by the computer-based system, a ratio of ~~disputed-credit-transactions~~ chargebacks to total credit transactions ratio for a merchant in the first of the industry categories; and

assess, by the computer-based system, a fee to the merchant ~~in-response-to~~ in response to the merchant's ratio of ~~disputed-credit-transactions~~ chargebacks to total credit transactions being greater than the threshold ratio of ~~disputed-credit-transactions~~ chargebacks to total credit transactions, the fee applied to each disputed transaction ~~involving-the-merchant-that-causes-the-merchant-to-exceed~~ exceeding the threshold ratio of ~~disputed-credit-transactions~~ chargebacks to total credit transactions and in response to the merchant exceeding a threshold number of time periods in which the merchant may exceed the predetermined threshold ratio without incurring the fee, wherein the fee to the merchant is not assessed to all ~~disputed-transactions~~ chargebacks, and wherein the fee is set based on a monetary value of each of the ~~disputed-credit-transactions~~ chargebacks of the merchant that exceeds the predetermined threshold ratio.

21. *(Previously Presented)* The method of claim 1, wherein the predetermined threshold ratio is lower for higher value transactions.

22. *(Previously Presented)* The method of claim 14, wherein the threshold ratio is lower for higher value transactions.

23. *(Previously Presented)* The medium of claim 20, wherein the threshold ratio is lower for higher value transactions.